



INDIANA UTILITY REGULATORY COMMISSION
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**IN THE MATTER OF THE PETITION OF INDIANA)
BELL TELEPHONE COMPANY, INCORPORATED,)
D/B/A AMERITECH INDIANA PURSUANT TO)
I.C. 8-1-2-61 FOR A THREE-PHASE PROCESS FOR)
COMMISSION REVIEW OF VARIOUS)
SUBMISSIONS OF AMERITECH INDIANA TO)
SHOW COMPLIANCE WITH SECTION 271(C) OF)
THE TELECOMMUNICATIONS ACT OF 1996)**

JUL 12 2002

CAUSE NO. 41657

You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

On November 9, 2000, the presiding officers issued a docket entry distributing to the parties general principles as a set of guidelines that the parties should address as part of their plans and use for generating comments on the other performance penalty plans. The entry stated that all plans would be evaluated primarily on their ability or inability to meet these guidelines. The parties were to address and incorporate the guidelines in their filings. Additionally, each proponent of a plan was directed to specify in the reply comments what modifications to each of the other plans would be required to make those other plans acceptable to the commenting party. Mr. John Kern notified the Commission on November 16, 2000 that the recommendation from the collaborative was for the Commission to establish a procedural schedule consistent with the e-mail summarizing the October 26, 2000 collaborative, which was that the Commission issue a decision based upon the parties' respective filings. The presiding officers issued a docket entry establishing a schedule to formally consider the various plans. Initial plans were submitted on February 9, 2001 by Ameritech Indiana, the Indiana CLECs and Z-Tel. Reply filings were submitted on March 8, 2001.

On September 11, 2001, the Commission issued an Order with an attachment containing Indiana performance assurance and remedy plan principles for Ameritech and provided guidance to the collaborative for future discussions regarding the plan. The Order found that neither the Ameritech nor the CLEC plans, as filed, satisfied the requirements or expectations of this Commission. Therefore, the Commission found that the parties should take the attachment to the Order and work together to devise an acceptable plan. Attachment A to the Order contained a number of steps for the collaborative to pursue and explained in more detail the expectations of the Commission. The Commission found that Mr. Kern should organize and conduct a meeting of the Indiana collaborative to discuss the process, scope and schedule to be used for the completion of the Indiana performance assurance plan.

Subsequent to that Order, the parties requested time to negotiate for purposes of devising a plan to which all the parties could agree. The presiding officers encouraged and allowed such further negotiations. However, several months have passed and the parties are still unable to present to the Commission an agreed-upon plan. Therefore, the presiding officers now find that

the parties should have two weeks, or until July 26, 2002, to make one last attempt at filing an agreed-upon remedy plan/performance assurance plan with the IURC.

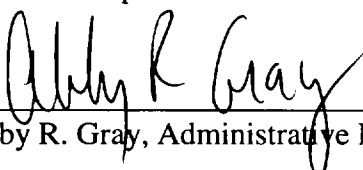
If a revised plan is not filed on or before July 26, 2002, the parties have one additional week, or until August 2, 2002 to file with the IURC written comments on and redlined versions of the Illinois Remedy Plan (as approved by the Illinois Commerce Commission on July 10, 2002) with proposed or agreed-upon changes. The redlined versions should include specific additions, modifications, or deletions to the Illinois Remedy Plan that would make it acceptable as an Indiana remedy plan or performance assurance plan to the commenting party. Parties should explain and support in their written comments any additional changes they are proposing.

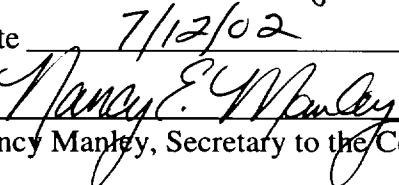
The agreed-upon plan, if any, as well as any redlined versions of, and comments on the Illinois Remedy Plan to be filed with this Commission should incorporate and be consistent with the IURC's 44 principles from the November 9, 2000 docket entry (as modified in Section 7.0 of Attachment A to the Commission's September 11, 2001 Order). Furthermore, the agreed-upon plan (if any) as well as any comments on, and redlined versions of, the Illinois Remedy Plan should contain specific language responding to Staff's April 26 comments and concerns. The Parties should also consider and comment on the separate PM data and reporting requirements document attached to the April 26, 2002 e-mail from Mr. Karl Henry. Parties should propose specific language in their redlined versions of the Illinois Remedy Plan to implement the Staff's draft data and reporting requirements document. Parties should also comment on the issues in that document for which Staff requested further discussion or input and, where possible, propose specific language regarding those issues.

Finally, an agreed-upon Indiana compromise remedy or performance assurance plan, or comments, must address the following issues: 1) mechanism and schedule for the delivery of monthly performance data reports; 2) parity with a floor/ceiling (minimum levels of service); 3) initiation of root cause analysis for continued poor performance; 4) "remedied" performance measures with penalties for change management for pre-ordering, ordering, provisioning, maintenance and repair, and billing OSS interfaces; 5) mechanism for assuring the integrity and the retention of both raw/source/untransformed data and data used directly in reporting results, as well as data used to calculate and report any subsequent restatement of results; 6) a procedure for defining and calculating remedies or penalties for repeated restatements of performance results for a given performance measure(s), including a remedy or penalty structure and actual remedy or penalty amounts; and 7) step-up/step-down escalation/de-escalation mechanisms or multipliers for severe or chronic poor performance.

Upon satisfactory completion of the above-outlined process, the Commission will order an appropriate Indiana remedy or performance assurance plan.

IT IS SO ORDERED.


Abby R. Gray, Administrative Law Judge

Date 7/12/02

Nancy Manley, Secretary to the Commission